

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SHAUN NICHOLAS CARSON-MOORE,

Plaintiff,

Case No.: 1:16-cv-470

v.

HONORABLE PAUL L. MALONEY

PAUL MARTIN,

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by United States Magistrate Judge Phillip J. Green in this action (ECF No. 17). The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

**THEREFORE, IT IS ORDERED** that Plaintiff's complaint is DISMISSED for the reasons stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that Defendant's motion for Rule 37 sanctions (ECF No. 16) is GRANTED IN PART AND DENIED IN PART. Defendant is entitled to reasonable attorney fees and costs related to plaintiff's failure to appear for his deposition. The remainder of Defendant's motion is DENIED. Defendant shall file an appropriate motion related to attorney fees and costs within 21 days of the date of this order.

Dated: August 24, 2017

/s/ Paul L. Maloney

Paul L. Maloney

United States District Judge